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Rec'd PCT/PTO  
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Express Mailing Label No. EV 485 809 185 US

PATENT APPLICATION  
Docket: 15892.2

#6  
with  
Surcharge

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
 )  
Jonathan Gibbins et al. )  
 )  
Serial No.: 10/500,027 )  
 )  
Filed: June 22, 2004 )  
 )  
Confirmation No.: 2259 )  
 )  
For: PECAM-1 MODULATION )

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements mailed January 10, 2005, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- X   A Combined Declaration and Power of Attorney executed by the inventors.
- An Assignment conveying the invention to \_\_\_\_\_, including a Form PTO-1595 recordation cover sheet.
- A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.
- X   Response to Request in Notification of Missing Requirements to Submit Sequence Listing.

\* Admitted only in California  
\$ Admitted only in Virginia

X A copy of a Notification of the Recording of a Change that was issued by the International Bureau in the corresponding international application is attached. The notification confirms the addition of Milenko Cicmil as an inventor of the present application.

X The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27

X A copy of the Notification of Missing Requirements.

X A Certificate of Express Mail under 37 C.F.R. § 1.10.

\_\_\_ To render the Response timely filed, enclosed are the following:

\_\_\_ Petition for a \_\_\_-Month Extension of Time; and

\_\_\_ Check No. \_\_\_ in the amount of \$\_\_\_ to cover the fee for the extension of time.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370		\$740
TOT. CLAIMS	18-20=	0	X 9=		X 18=	
IND. CLAIMS	2-3=	0	X 42		X 84=	
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			<b>TOTAL</b>		<b>TOTAL</b>	

X Form PTO-2038 submitting Credit Card Payment in the amount of \$65.00 is enclosed to cover:

\_\_\_ The \$\_\_\_ government filing fee.

\_\_\_ The \$\_\_\_ recordation fee of the enclosed assignment.

X The \$65.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

X Any additional filing fees required under 37 C.F.R. § 1.16.

X Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

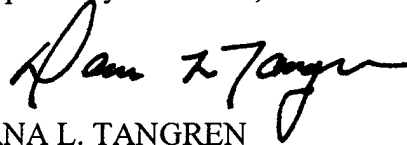
     The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 9<sup>th</sup> day of March 2005.

Respectfully submitted,



DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

Express Mailing Label No. EV 485 809 185 US

PATENT APPLICATION

Docket: 15892.2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jonathan Gibbins et al.

Serial No.: 10/500,027

Filed: June 22, 2004

Confirmation No.: 2259

For: PECAM-1 MODULATION

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9<sup>th</sup> day of March 2005:

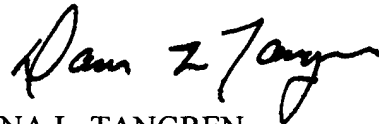
- Response to Notification of Missing Requirements (3 pages) (in duplicate)
- Combined Declaration and Power of Attorney (5 pages)
- Copy of Notification of Missing Requirements (2 pages)
- Copy of Notification of the Recording of a Change (1 page)
- Response to Request in Notification of Missing Requirements to Submit Sequence Listing (2 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$65.00
- Postcard

03/14/2005 SNAJARRO 00000110 10500027

01 FC:2617

65.00 DP

Respectfully submitted,



DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

Express Mailing Label No. EV 485 809 185 US

PATENT APPLICATION

Docket: 15892.2

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)
		)
	Jonathan Gibbins et al.	)
		)
Serial No.:	10/500,027	)
		)
Filed:	June 22, 2004	)
		)
Confirmation No.:	2259	)
		)
For:	PECAM-1 MODULATION	)

RESPONSE TO REQUEST IN NOTIFICATION OF MISSING  
REQUIREMENTS TO SUBMIT SEQUENCE LISTING

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements mailed January 10, 2005, please enter the following remarks.

REMARKS

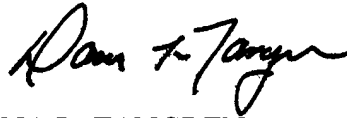
The Notification of Missing Requirements asserts that a nucleotide and/or amino acid "Sequence Listing" needs to be filed in the present application. Applicant asserts that the present application does not require the submission of a "Sequence Listing" because the application does not disclose a sequence as defined under 37 CFR 1.821-1.825.

Specifically, 37 CFR 1.821-1.825 requires an applicant to submit a properly formatted sequence listing when any unbranched sequence of four or more amino acids or ten or more nucleotides are disclosed within a patent application. While certain domains of PECAM-1 are discussed in the present application, the discussions are directed to structure-function relationships rather than specific nucleotide and/or amino acid sequences. Accordingly, because the present application does not disclose an unbranched sequence of four or more amino acids or ten or more nucleotides, applicant respectfully submits that it is not required to submit a "Sequence Listing," and thus withdrawal of the requirement is respectfully requested.

In the event that the "Sequence Listing" requirement is maintained, the Examiner is respectfully requested to contact the undersigned so as to clarify the issue.

DATED this 9<sup>th</sup> day of March 2005.

Respectfully submitted,



DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800

DLT:jmb:dfw  
DFW0000012810V001

Rec'd PCT/PTO

09 MAR 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/500,027	FIRST NAMED APPLICANT Jonathan Gibbins	ATTY. DOCKET NO. 15892.2
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022913

WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY)  
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 1000 EAGLE GATE TOWER  
 SALT LAKE CITY, UT 84111

INTERNATIONAL APPLICATION NO.

PCT/GB02/05730

I.A. FILING DATE

12/17/2002

PRIORITY DATE

12/22/2001

CONFIRMATION NO. 2259

371 FORMALITIES LETTER



\*OC00000001 4916580\*

Date Mailed: 01/10/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/22/2004
- Copy of the International Search Report filed on 06/22/2004
- Copy of IPE Report filed on 06/22/2004
- Preliminary Amendments filed on 06/22/2004
- Oath or Declaration filed on 06/22/2004
- Small Entity Statement filed on 06/22/2004
- U.S. Basic National Fees filed on 06/22/2004
- Priority Documents filed on 06/22/2004
- Power of Attorney filed on 06/22/2004

*MISSING requirements*  
*3/19/05*  
*Aguy*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - Identifies inventor not listed on International Application.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,027	PCT/GB02/05730	15892.2